



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB4572

Introduced 01/11/06, by Rep. Robert S. Molaro

#### SYNOPSIS AS INTRODUCED:

5 ILCS 430/20-85  
5 ILCS 430/25-85  
5 ILCS 430/50-5

Amends the State Officials and Employees Ethics Act. Requires that the quarterly reports of an Inspector General be available to the public (now, to an executive branch constitutional officer or the General Assembly and to the appropriate ethics commission) and include the number of (i) complaints deemed valid to warrant investigation and (ii) investigated State employees in categories of disposition. Makes violation of the confidentiality of an Inspector General's investigatory files and reports a Class 4 felony. Effective immediately.

LRB094 15951 JAM 51179 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning ethics.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Officials and Employees Ethics Act is  
5 amended by changing Sections 20-85, 25-85, and 50-5 as follows:

6 (5 ILCS 430/20-85)

7 Sec. 20-85. Quarterly reports by Executive Inspector  
8 General. Each Executive Inspector General shall submit  
9 quarterly reports to the appropriate executive branch  
10 constitutional officer and the Executive Ethics Commission and  
11 make those reports available to the public, on dates determined  
12 by the Executive Ethics Commission, indicating:

13 (1) the number of allegations received since the date  
14 of the last report;

15 (1.5) the number of allegations received since the date  
16 of the last report that were deemed valid to warrant  
17 investigation;

18 (2) the number of investigations initiated since the  
19 date of the last report;

20 (3) the number of investigations concluded since the  
21 date of the last report;

22 (4) the number of investigations pending as of the  
23 reporting date;

24 (5) the number of complaints forwarded to the Attorney  
25 General since the date of the last report; ~~and~~

26 (6) the number of actions filed with the Executive  
27 Ethics Commission since the date of the last report and the  
28 number of actions pending before the Executive Ethics  
29 Commission as of the reporting date; and-

30 (7) the number of investigated State employees found in  
31 violation of a statute or rule, and the number of those  
32 State employees fined or suspended, since the date of the

1           last report.

2           (Source: P.A. 93-617, eff. 12-9-03.)

3           (5 ILCS 430/25-85)

4           Sec. 25-85. Quarterly reports by the Legislative Inspector  
5           General. The Legislative Inspector General shall submit  
6           quarterly reports to the General Assembly and the Legislative  
7           Ethics Commission and make those reports available to the  
8           public, on dates determined by the Legislative Ethics  
9           Commission, indicating:

10           (1) the number of allegations received since the date  
11           of the last report;

12           (1.5) the number of allegations received since the date  
13           of the last report that were deemed valid to warrant  
14           investigation;

15           (2) the number of investigations initiated since the  
16           date of the last report;

17           (3) the number of investigations concluded since the  
18           date of the last report;

19           (4) the number of investigations pending as of the  
20           reporting date;

21           (5) the number of complaints forwarded to the Attorney  
22           General since the date of the last report; ~~and~~

23           (6) the number of actions filed with the Legislative  
24           Ethics Commission since the date of the last report and the  
25           number of actions pending before the Legislative Ethics  
26           Commission as of the reporting date; and ~~and~~

27           (7) the number of investigated State employees found in  
28           violation of a statute or rule, and the number of those  
29           State employees fined or suspended, since the date of the  
30           last report.

31           (Source: P.A. 93-617, eff. 12-9-03.)

32           (5 ILCS 430/50-5)

33           Sec. 50-5. Penalties.

34           (a) A person is guilty of a Class A misdemeanor if that

1 person intentionally violates any provision of Section 5-15,  
2 5-30, 5-40, or 5-45 or Article 15.

3 (b) A person who intentionally violates any provision of  
4 Section 5-20, 5-35, 5-50, or 5-55 is guilty of a business  
5 offense subject to a fine of at least \$1,001 and up to \$5,000.

6 (c) A person who intentionally violates any provision of  
7 Article 10 is guilty of a business offense and subject to a  
8 fine of at least \$1,001 and up to \$5,000.

9 (d) Any person who intentionally makes a false report  
10 alleging a violation of any provision of this Act to an ethics  
11 commission, an inspector general, the State Police, a State's  
12 Attorney, the Attorney General, or any other law enforcement  
13 official is guilty of a Class A misdemeanor.

14 (e) An ethics commission may levy an administrative fine of  
15 up to \$5,000 against any person who violates this Act, who  
16 intentionally obstructs or interferes with an investigation  
17 conducted under this Act by an inspector general, or who  
18 intentionally makes a false, frivolous, or bad faith  
19 allegation.

20 (e-5) A person who intentionally violates subsection (d) of  
21 Section 20-95 or subsection (d) of Section 25-95 is guilty of a  
22 Class 4 felony.

23 (f) In addition to any other penalty that may apply,  
24 whether criminal or civil, a State employee who intentionally  
25 violates any provision of Section 5-15, 5-20, 5-30, 5-35, 5-40,  
26 or 5-50, Article 10, Article 15, or Section 20-90 or 25-90 is  
27 subject to discipline or discharge by the appropriate ultimate  
28 jurisdictional authority.

29 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.